# A RESOLUTION AUTHORIZING AND DIRECTING THE USE OF EMINENT DOMAIN FOR THE ACQUISTION OF CERTAIN PERMANENT EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE PUBLIC PURPOSES DESCRIBED HEREIN

WHEREAS, the City Council of the City of Bloomington is the official governing body of the City of Bloomington; and

WHEREAS, the City of Bloomington, a Minnesota municipal corporation, acting by and through its City Council, is authorized by law to acquire lands and easements needed for public purposes; and

WHEREAS, the Bloomington City Council, at its regular meeting of January 27, 2014, approved a Cooperative Local Bike and Pedestrian Connection Agreement with Three Rivers Park District for the construction of the Nokomis-Minnesota River Regional Trail (formerly called Intercity Regional Trail); and

WHEREAS, Three Rivers Park District will be constructing the Nokomis-Minnesota River Regional Trail Project (the "Project"); and

WHEREAS, the Project improvements consist of removals, grading, curb and gutter, and trail construction on the west side of Old Cedar Avenue from 86<sup>th</sup> Street to Old Shakopee Road; and

WHEREAS, the plans and designs for the Project improvements require that certain permanent easements and temporary construction easements be acquired from properties within the Project area; and

WHEREAS, the easements required to be acquired for the Project are legally described in Exhibit A hereto (the "Easements"); and

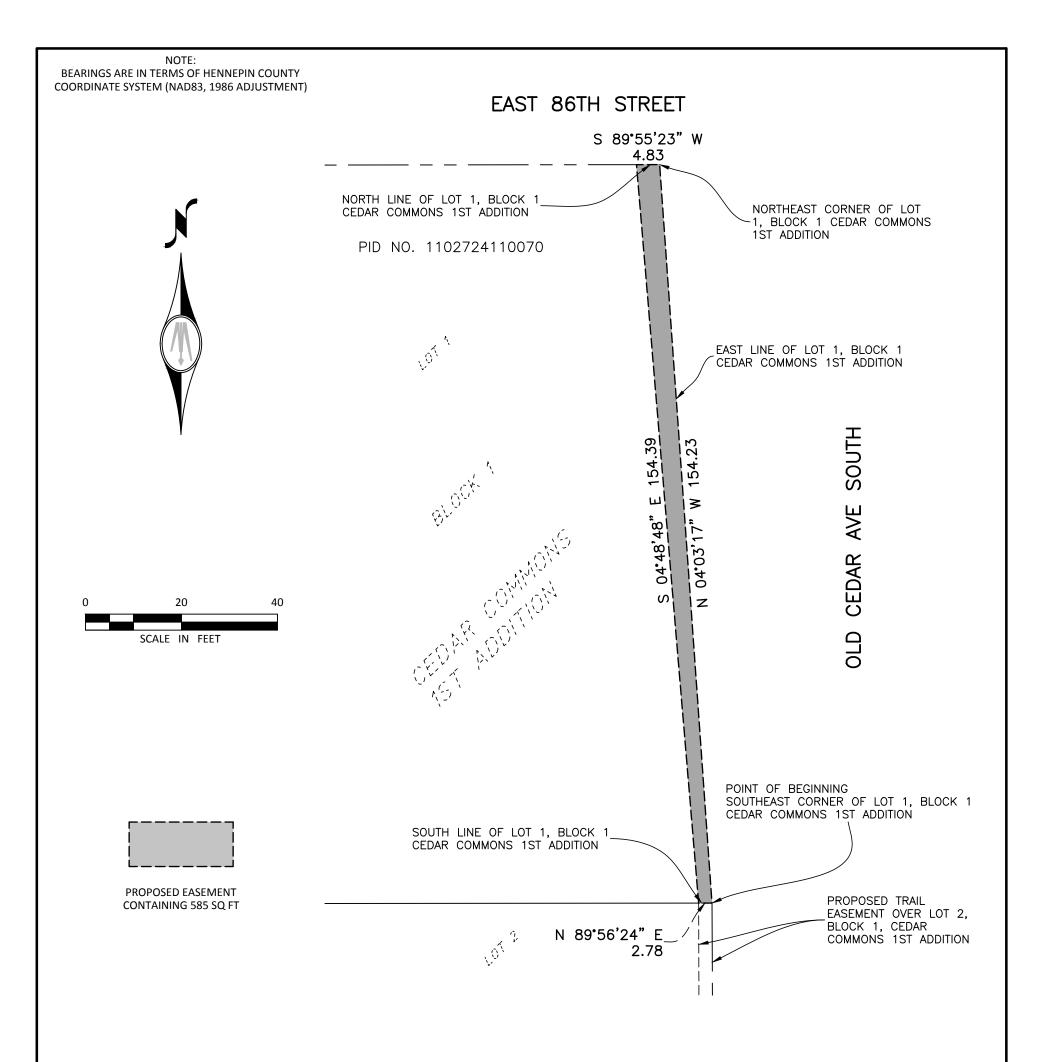
WHEREAS, the City Council finds that it is reasonably necessary, proper, and convenient, and in the interest of the public health, safety, convenience, and the general welfare that title and possession of the Easements be acquired in order to construct and implement the Project; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON AT ITS REGULAR MEETING ASSEMBLED, that it is the considered judgment of the Council that the Easements described in <a href="Exhibit A">Exhibit A</a>, attached hereto and made a part hereof, be acquired for the stated public purposes, and that the Easements be acquired, if necessary, through the exercise of the power of eminent domain.

BE IT FURTHER RESOLVED, that the City Manager and the City Attorney are authorized and directed to take all steps necessary to acquire the described Easements by filing an action in eminent domain.

Passed and adopted this 15th day of August, 2016.

	Mayor	
ATTEST:		
Secretary to the Council		



A perpetual easement for trail purposes over, under, and across that part of Lot 1, Block 1, CEDAR COMMONS 1ST ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Beginning at southeast corner of said Lot 1; thence North 04 degrees 03 minutes 00 seconds West along the east line of said Lot 1, a distance of 154.23 feet to the northeast corner of said Lot 1; thence South 89 degrees 55 minutes 00 seconds West along the north line of said Lot 1, a distance of 4.83 feet; thence South 04 degrees 48 minutes 00 seconds East, a distance of 154.39 feet; thence North 89 degrees 56 minutes 00 seconds East along the south line of said Lot 1, a distance of 2.78 feet to the point of beginning.

# SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Russell O. Halverson

06/20/2016 Date

License Number 41813

TRAIL EASEMENT EXHIBIT 8600 OLD CEDAR AVE, BLOOMINGTON, MINNESOTA

BOLTON & MENK, INC. Consulting Engineers & Surveyors

7533 SUNWOOD DR NW, SUITE 206 RAMSEY, MINNESOTA 55303

(763)-433-2851

FOR: THREE RIVERS PARK DISTRICT

**CEDAR COMMONS 1ST ADDITION** HENNEPIN COUNTY, MINNESOTA

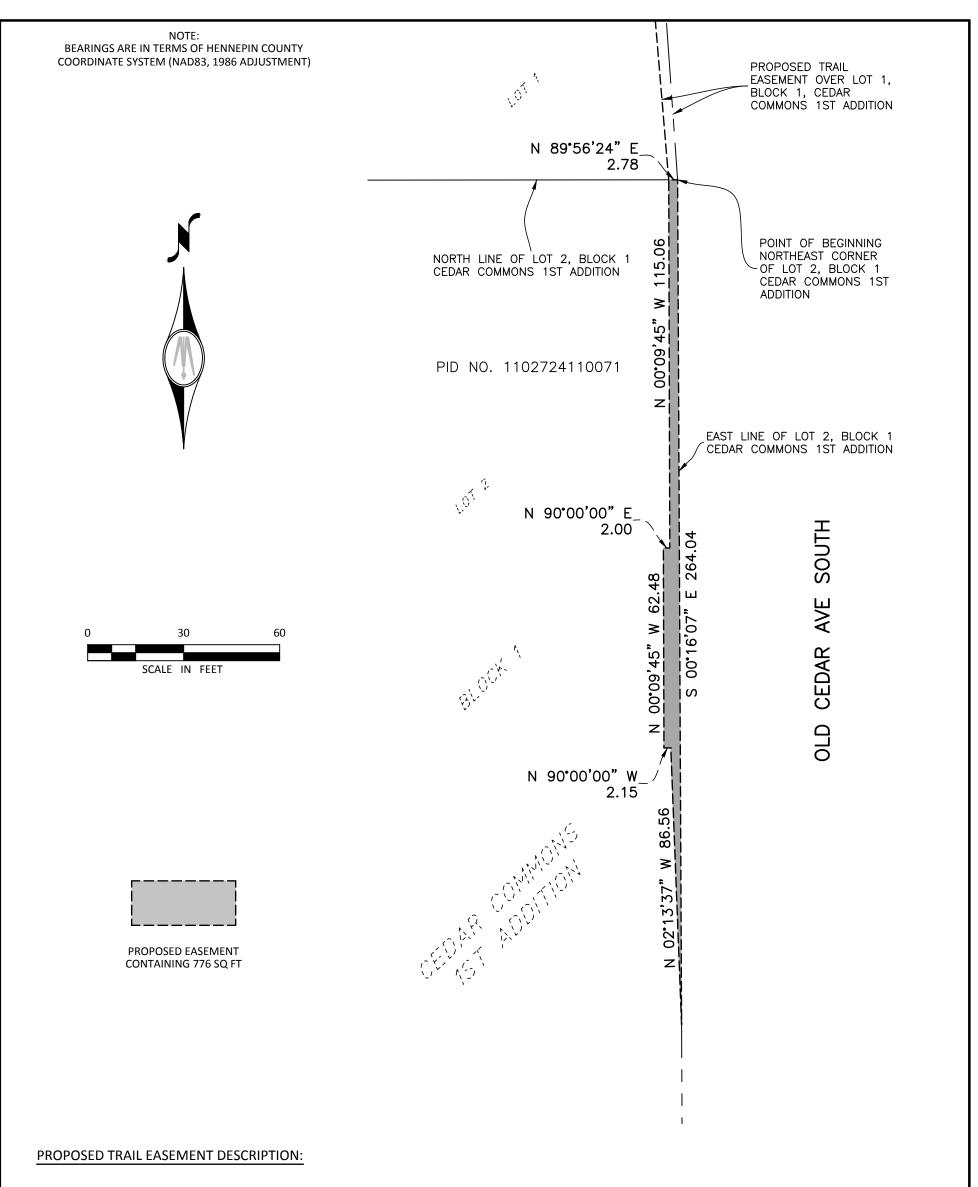
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JOB NUMBER: R16.111658

FIELD BOOK:

DRAWN BY: ALH

LOT 1, BLOCK 1



A perpetual easement for trail purposes over, under, and across that part of Lot 2, Block 1, CEDAR COMMONS 1ST ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Beginning at northeast corner of said Lot 2, Block 1; thence South 00 degrees 16 minutes 07 seconds East, assumed bearing along the east line of said Lot 2, a distance of 264.04 feet; thence North 02 degrees 13 minutes 37 seconds West, a distance of 86.56 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 2.15 feet; thence North 00 degrees 09 minutes 45 seconds West, a distance of 62.48 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 2.00 feet; thence North 00 degrees 09 minutes 45 seconds West, a distance of 115.06 feet; thence North 89 degrees 56 minutes 24 seconds East along the north line of said Lot 2, a distance of 2.78 feet to the point of beginning.

# SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Russell O. Halverson License Number 41813 06/20/2016

TRAIL EASEMENT EXHIBIT 8660 OLD CEDAR AVE SOUTH, BLOOMINGTON, MINNESOTA



7533 SUNWOOD DR NW, SUITE 206 RAMSEY, MINNESOTA 55303

(763)-433-2851

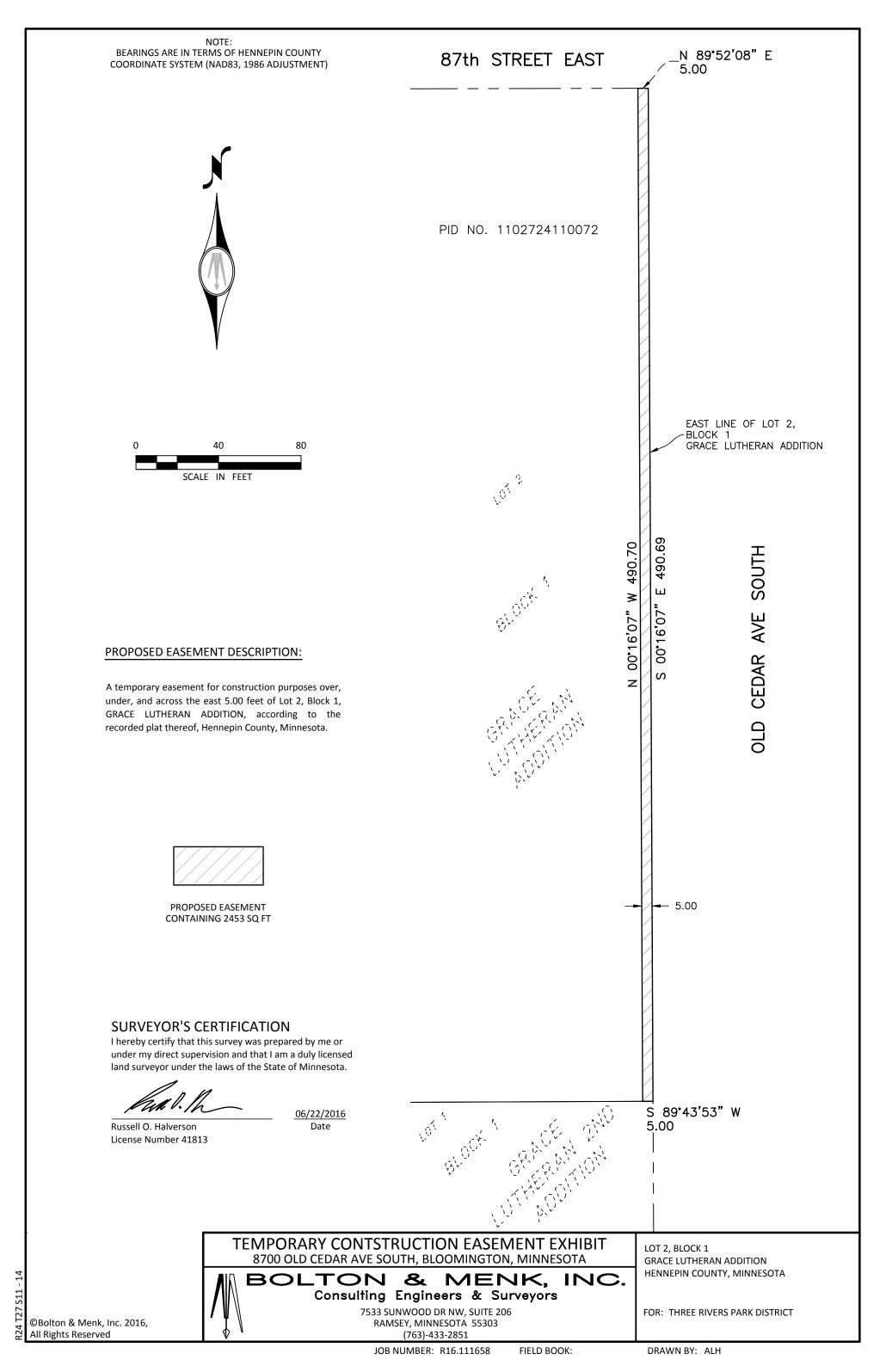
**CEDAR COMMONS 1ST ADDITION** HENNEPIN COUNTY, MINNESOTA

8660 OLD CEDAR AVE SOUTH

FOR: THREE RIVERS PARK DISTRICT

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LOT 2, BLOCK 1



A perpetual easement for trail purposes over, under, and across the east 7.00 feet of Lot 1 and the north 14 feet of Lot 2, Block 5, REPLAT OF CEDAR CREST, according to the recorded plat thereof, Hennepin County, Minnesota.

# SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Russell O. Halverson

06/22/2016 Date

License Number 41813

TRAIL EASEMENT EXHIBIT

8806 OLD CEDAR AVE, BLOOMINGTON, MINNESOTA BOLTON & MENK, INC.

Consulting Engineers & Surveyors 7533 SUNWOOD DR NW, SUITE 206 RAMSEY, MINNESOTA 55303 (763)-433-2851

FOR: THREE RIVERS PARK DISTRICT

DRAWN BY: ALH

REPLAT OF CEDAR CREST HENNEPIN COUNTY, MINNESOTA

JOB NUMBER: R16.111658

FIELD BOOK:

LOT 1 AND NORTH 14 FT OF LOT 2, BLOCK 5

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A perpetual easement for trail purposes over, under, and across the east 7.00 feet of the north 42 feet of Lot 4, and the east 7.00 feet of Lot 3, except the north 28.00 feet of said Lot 3, all in Block 5, REPLAT OF CEDAR CREST, according to the recorded plat thereof, Hennepin County, Minnesota.

# SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Russell O. Halverson

06/28/2016

License Number 41813

TRAIL EASEMENT EXHIBIT

8818 OLD CEDAR AVE, BLOOMINGTON, MINNESOTA BOLTON & MENK, INC.

Consulting Engineers & Surveyors 7533 SUNWOOD DR NW, SUITE 206

RAMSEY, MINNESOTA 55303 (763)-433-2851

AND THE NORTH 42 FEET OF LOT 4, BLOCK 5, REPLAT OF CEDAR CREST HENNEPIN COUNTY, MINNESOTA

LOT 3, EXCEPT THE NORTH 28 FEET THEREOF,

FOR: THREE RIVERS PARK DISTRICT

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A perpetual easement for trail purposes over, under, and across the east 7.00 feet of the north 56 feet of Lot 6 and the east 7.00 feet of Lot 5, except the north 56.00 feet of said Lot 5, all in Block 5, REPLAT OF CEDAR CREST, according to the recorded plat thereof, Hennepin County, Minnesota.

# SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Russell O. Halverson

07/21/2016 Date

License Number 41813

TRAIL EASEMENT EXHIBIT
8836 OLD CEDAR AVE, BLOOMINGTON, MINNESOTA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors

7533 SUNWOOD DR NW, SUITE 206 RAMSEY, MINNESOTA 55303 (763)-433-2851 REPLAT OF CEDAR CREST HENNEPIN COUNTY, MINNESOTA

LOT 5, EXCEPT THE NORTH 56 FEET THEREOF,

AND THE NORTH 56 FEET OF LOT 6, BLOCK 5,

FOR: THREE RIVERS PARK DISTRICT

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A perpetual easement for trail purposes over, under, and across the west 7.00 feet of the east 40.00 feet of the north 100.00 feet of the south 423.00 feet of the East Half of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 11, Township 27, Range 24, Hennepin County, Minnesota.

A temporary easement for construction purposes over, under, and across the west 28.16 feet of the east 68.16 feet of the north 100.00 feet of the south 423.00 feet of the East Half of the Southeast Quarter of the Southeast Quarter of Section 11, Township 27, Range 24, Hennepin County, Minnesota.

# SURVEYOR'S CERTIFICATION

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

Russell O. Halverson Date License Number 41813

EASEMENT EXHIBIT
8924 OLD CEDAR AVE, BLOOMINGTON, MINNESOTA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
7523 SUNIMOOD DR NIM SUITE 206

7533 SUNWOOD DR NW, SUITE 206 RAMSEY, MINNESOTA 55303 (763)-433-2851 THE NORTH 100 FEET OF THE SOUTH 423 FEET OF THE EAST 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SECTION 11, TOWNSHIP 27, RANGE 24, HENNEPIN COUNTY, MINNESOTA

FOR: THREE RIVERS PARK DISTRICT

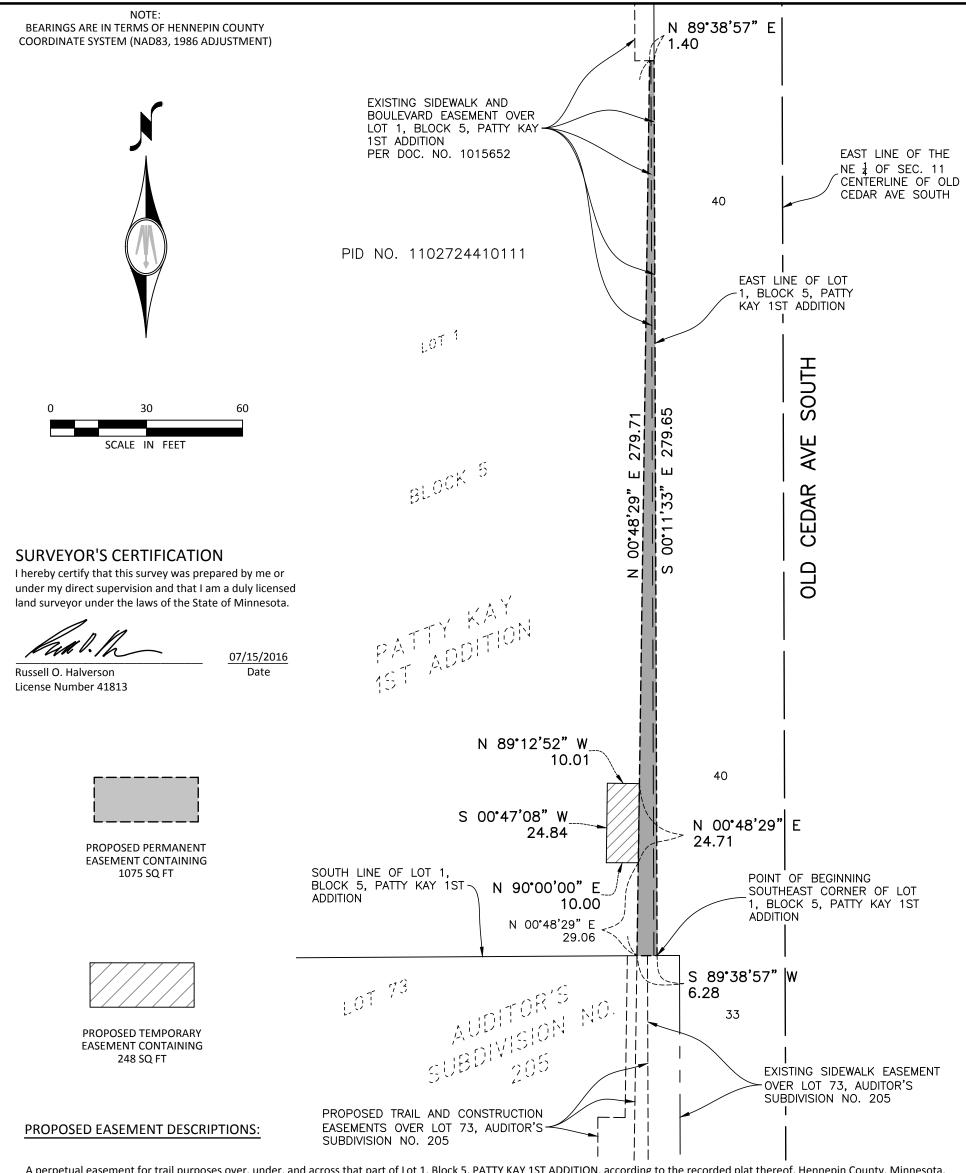
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AND

JOB NUMBER: R16.111658

FIELD BOOK:

DRAWN BY: ALH



A perpetual easement for trail purposes over, under, and across that part of Lot 1, Block 5, PATTY KAY 1ST ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Beginning at the southeast corner of said Lot 1; thence on an assumed bearing of South 89 degrees 38 minutes 57 seconds West along the south line of said Lot 1, a distance of 6.28 feet; thence North 00 degrees 48 minutes 29 seconds East, a distance of 279.71 feet; thence North 89 degrees 38 minutes 57 seconds East, a distance of 1.40 feet to the east line of said Lot 1; thence South 00 degrees 11 minutes 35 seconds East along the east line of said Lot 1, a distance of 279.65 feet to the point of beginning.

# AND

A temporary easement for construction purposes over, under, and across that part of Lot 1, Block 5, PATTY KAY 1ST ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Commencing at the southeast corner of said Lot 1; thence on an assumed bearing of South 89 degrees 38 minutes 57 seconds West along the south line of said Lot 1, a distance of 6.28 feet; thence North 00 degrees 48 minutes 29 seconds East, a distance of 29.06 feet to the point of beginning; thence continue North 00 degrees 48 minutes 29 seconds East, a distance of 24.71 feet; thence North 89 degrees 12 minutes 52 seconds West, a distance of 10.01 feet; thence South 00 degrees 47 minutes 08 seconds West, a distance of 24.84 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 10.00 feet to said point of beginning.

Said temporary easement is to expire on  $\_$ 



PATTY KAY 1ST ADDITION HENNEPIN COUNTY, MINNESOTA

FOR: THREE RIVERS PARK DISTRICT

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JOB NUMBER: R16.111658

FIELD BOOK:

DRAWN BY: ALH

LOT 1. BLOCK 5

#### PROPOSED EASEMENT DESCRIPTIONS: POINT OF BEGINNING PROPOSED TRAIL EASEMENT TEMPORARY EASEMENT OVER LOT 1, BLOCK 5, PATTY KAY 1ST ADDITION A perpetual easement for trail purposes over, under, and across S 89°38'57" W that part of Lot 73, AUDITOR'S SUBDIVISION NO. 205, according 3.28 to the recorded plat thereof, Hennepin County, Minnesota, described as follows: S 89'38'57" W N 89°38'57" E Commencing at the southeast corner of Lot 1, Block 5, PATTY 3.00 3.00 KAY FIRST ADDITION, according to the recorded plat thereof, POINT OF COMMENCEMENT said Hennepin County; thence on an assumed bearing of SOUTHEAST CORNER OF LOT South 89 degrees 38 minutes 57 seconds West along the 1, BLOCK 5, PATTY KAY 1ST N 00°48'29" E **ADDITION** south line of said Lot 1, a distance of 3.00 feet to the point of SOUTH LINE OF LOT 1, 50.58 POINT OF BEGINNING beginning; thence continue South 89 degrees 38 minutes 57 BLOCK 5, PATTY KAY 1ST-PERMANENT EASEMENT seconds West, a distance of 3.28 feet; thence South 00 **ADDITION** degrees 48 minutes 29 seconds West, a distance of 101.44 S 89°11'31" E S 00°48'29" W feet; thence South 00 degrees 14 minutes 01 seconds East, a 8.51 101.44 distance of 54.55 feet; thence North 90 degrees 00 minutes N 00°00'00" E 11.84 00 seconds West, a distance of 3.00 feet; thence South 00 33 degrees 14 minutes 01 seconds East, a distance of 161.91 S 89°23'53" W feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 3.08 feet; thence South 00 degrees 14 minutes 24 4.63 seconds East, a distance of 50.11 feet to the north line of Lot EXISTING SIDEWALK EASEMENT 2, Block 1, STADIUM SHOPPING ADDITION, according to the OVER LOT 73, AUDITOR'S ഗ recorded plat thereof, said Hennepin County; thence North SUBDIVISION NO. 205 89 degrees 38 minutes 57 seconds East along said north line PER DOC. NO. 4864888 10 of Lot 2, a distance of 4.78 feet; thence North 00 degrees 11 minutes 33 seconds West, a distance of 368.00 feet to said PID NO. 1102724410001 S 00°14'01" E point of beginning. 54.55 N 90°00'00" W A temporary easement for construction purposes over, under, 3.00 and across that part of Lot 73, AUDITOR'S SUBDIVISION NO. 205, according to the recorded plat thereof, Hennepin County, 368.00 Minnesota, described as follows: Commencing at the southeast corner of Lot 1, Block 5, PATTY S 89\*58'56" E 5.41 -KAY FIRST ADDITION, according to the recorded plat thereof, said Hennepin County; thence on an assumed bearing of N 00°00'00" E 16.93 --South 89 degrees 38 minutes 57 seconds West along the south line of said Lot 1, a distance of 3.00 feet; thence N 90°00'00" W 5.48 -== 61 00.11 continue South 89 degrees 38 minutes 57 seconds West, a distance of 3.28 feet to the point of beginning; thence South N 00°14'01" W 30.01 00 degrees 48 minutes 29 seconds West, a distance of 101.44 N 89°58'45" E 7.99 feet; thence South 00 degrees 14 minutes 01 seconds East, a distance of 54.55 feet; thence North 90 degrees 00 minutes N 00°01'15" W 7.13 00 seconds West, a distance of 3.00 feet; thence South 00 S 89°58'45" W 8.01 -== degrees 14 minutes 01 seconds East, a distance of 161.91 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 3.08 feet; thence South 00 degrees 14 minutes 24 83 seconds East, a distance of 50.11 feet to the north line of Lot 2, Block 1, STADIUM SHOPPING ADDITION, according to the recorded plat thereof, said Hennepin County; thence South EAST LINE OF THE 9 NE 1 OF SEC. 11 89 degrees 38 minutes 57 seconds West along said north line CENTERLINE OF OLD of Lot 2, a distance of 10.00 feet; thence North 00 degrees 16 10 | CEDAR AVE SOUTH minutes 16 seconds West, a distance of 52.41 feet; thence N 90°00'00" E North 89 degrees 45 minutes 59 seconds East, a distance of N 89°45'59" E 3.95 feet; thence North 00 degrees 14 minutes 01 seconds 3.08 3.95 West, a distance of 83.62 feet; thence South 89 degrees 58 minutes 45 seconds West, a distance of 8.01 feet; thence ≥ North 00 degrees 01 minutes 15 seconds West, a distance of တ် 7.13 feet; thence North 89 degrees 58 minutes 45 seconds 6,1 East, a distance of 7.99 feet; thence North 00 degrees 14 S 00°14'24" E 50.11 minutes 01 seconds West, a distance of 30.01 feet; thence 00.1 S NORTH LINE OF LOT 2, BLOCK 1, North 90 degrees 00 minutes 00 seconds West, a distance of STADIUM SHOPPING ADDITION 33 5.48 feet; thence North 00 degrees 00 minutes 00 seconds Z East, a distance of 16.93 feet; thence South 89 degrees 58 STADIUM SHOOK I minutes 56 seconds East, a distance of 5.41 feet; thence S 89°38'57" W North 00 degrees 14 minutes 01 seconds West, a distance of N 89°38'57" E 4.78 10.00 115.70 feet; thence South 89 degrees 23 minutes 53 seconds West, a distance of 4.63 feet; thence North 00 degrees 00 EXISTING SIDEWALK AND minutes 00 seconds East, a distance of 11.84 feet; thence BIKEWAY EASEMENT OVER LOT 2, BLOCK 1, STADIUM SHOPPING ADDITION South 89 degrees 11 minutes 31 seconds East, a distance of 8.51 feet; thence North 00 degrees 48 minutes 29 seconds East, a distance of 50.58 feet to said south line of Lot 1; thence North 89 degrees 38 minutes 57 seconds East along said south line of Lot 1, a distance of 3.00 feet to said point of beginning. SURVEYOR'S CERTIFICATION Said temporary easement is to expire on I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed PROPOSED PERMANENT land surveyor under the laws of the State of Minnesota. 0 40 80 **EASEMENT CONTAINING** 2227 SO FT SCALE IN FEET 07/21/2016 Russell O. Halverson Date NOTE: BEARINGS ARE IN TERMS OF License Number 41813 **HENNEPIN COUNTY** PROPOSED TEMPORARY COORDINATE SYSTEM (NAD83, **EASEMENT CONTAINING** 1986 ADJUSTMENT) 2008 SQ FT **EASEMENT EXHIBIT** LOT 73 9100 OLD CEDAR AVE SOUTH, BLOOMINGTON, MINNESOTA **AUDITOR'S SUBDIVISION NO. 205** HENNEPIN COUNTY, MINNESOTA BOLTON & MENK, Consulting Engineers & Surveyors 7533 SUNWOOD DR NW, SUITE 206 FOR: THREE RIVERS PARK DISTRICT RAMSEY, MINNESOTA 55303 ©Bolton & Menk, Inc. 2016, All Rights Reserved (763)-433-2851